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REMARKS/ARGUMENTS

This is in response to the Office Action mailed August 19, 2003, in the above-referenced application. The rejections of record are addressed below in the order presented in the Office Action.

Claim 27 is amended to correct the dependency thereof.

Claims 17-21, 23-25, 28, 30-33, 63 and 65 are rejected under 35 USC Section 102(b) as anticipated by Makimura et al. In addition, Claims 17-21, 23-25, 28, 30-33, 48-59, 63-65, 67-75 and 82-89 are rejected under 35 USC Section 102(b) as anticipated by Gillespie et al. Applicants offer the following comments.

The Office Action indicates that the Makimura et al. and Gillespie et al. patents differ from the present invention with respect to the environment under which the filaments are drawn. To complete the record for consideration by the Examiner, new dependent claims 90-94 are presented herewith to recite that the drawn filaments of the invention are drawn without heat. Applicants respectfully request an indication of the allowability of these claims.

New claims 95 and 96, which depend from claims 48 and 59, respectively, are also presented to complete the record for consideration. Claims 48 and 59 are rejected as anticipated by Gillespie et al. Gillespie et al. is drawn to spunbonding processes, which can employ pneumatic attenuation using a gaseous media. New claims 95 and 96 recite that the multicomponent fibers are mechanically drawn, in contrast to the pneumatically drawn spunbonded fibers of Gillespie et al.

Claim 59, directed to a fabric comprising the multicomponent fibers of the invention, is further distinguishable from Gillespie et al. Gillespie et al. states that the filaments described therein split during formation and thereafter are collected and bonded to form a spunbonded nonwoven web. Thus the resultant fabric of Gillespie et al. does not include multicomponent fibers as recited in claim 59.

Applicants further submit that the claims previously presented also are allowable over the cited art. Claims 17, 30 and 64 state that the drawn plastically deformed non-elastomeric microfilaments are longer than the elastomeric microfilaments. Claims 48 and 59 recite that the drawn plastically deformed non-elastomeric polymeric component is longer than the elastomeric component upon dissociation therefrom. The fibers of Makimura et al. and Gillespie et al. lack

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the differential deformation and thus differential lengths between the non-elastomeric and elastomeric fiber components. Thus the fiber bundles, fabrics and multicomponent fibers as claimed differ structurally from the products of both Makimura et al. and Gillespie et al.

Applicants respectfully submit that this recited structural distinction obviates the need for a process recitation. Accordingly, Applicants respectfully submit that claims 17-21, 23-25, 28, 30-33, 63 and 65 are patentable over Makimura et al. and Gillespie et al. and claims 48-59 and 64 are patentable over Gillespie et al., considered either alone or in combination with the art of record.

Claims 76-79 are rejected under 35 USC Section 103(a) as unpatentable over Gillespie et al. in view of Pike et al. Applicants respectfully traverse this rejection. Neither Gillespie et al. nor Pike et al., considered singly or in combination, teaches or suggests the claimed invention in which a non-elastomeric fiber component is plastically deformed and thus longer than an elastomeric fiber component. There is no motivation to modify the teachings of the cited patents to provide this aspect of the claimed invention. Further there is no motivation to combine the teachings of Gillespie et al. and Pike et al. Even if the teachings of Gillespie et al. and Pike et al. were combined, the result would not be the same as claimed. Accordingly, Applicants respectfully submit that Claims 76 through 79 are patentable in light of Gillespie et al. and Pike et al.

Claims 79-81 are rejected under 35 USC Section 103(a) as unpatentable over Gillespie et al. in view of Hagewood. For the reasons given above, Claims 79 through 81 are patentable in light of Gillespie, considered either alone or in combination with the art of record.

Claim 27 is rejected under 35 USC Section 103(a) as unpatentable over Makimura et al. or Gillespie et al. in view of JP 05230776. Applicants respectfully traverse this rejection as well.

Claim 27 is directed to a fiber bundle in which the non-elastomeric and elastomeric microfilaments are dyed different colors. The fiber bundle has a first color in an unstretched condition and a different color upon stretching. The plastically deformed non-elastomeric microfilaments, which are longer than the elastomeric microfilaments, substantially surround and cover from view the elastomeric microfilaments when the fiber bundle is in an unstretched condition, imparting thereto a first color. Upon stretching, the elastomeric microfilaments become visible, changing the color of the fiber bundle.

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As noted above, neither Makimura et al. nor Gillespie et al. teach or suggest the claimed fiber bundles in which the non-elastomeric microfilaments are plastically deformed and differ in length (i.e., are longer than) the elastomeric microfilaments. There is no suggestion in the cited references to modify the fibers of Makimura et al. or Gillespie et al. to provide fiber bundles with non-elastomeric and elastomeric microfilaments of differential lengths as claimed.

JP '776 cannot overcome the deficiencies of the primary references. JP '776 also does not teach or suggest fiber bundles as claimed having non-elastomeric and elastomeric microfilaments of different lengths.

Even if the teachings of the cited references were combined, the result would not be the same as claimed. JP '776 does not suggest a fiber bundle as claimed that exhibits a first color in an unstretched state and second color in a stretched state, resulting from differently dyed non-elastomeric and elastomeric microfilaments and their respective positions to one another. JP '776 generally describes a woven fabric with different dye patterns for the face cloth and the lining cloth. Different types of yarns, for example nylon yarns and polyester yarns, are dyed. The yarns are woven so that one yarn appears on one fabric surface while the other of the yarns appears on the other fabric surface. The cited references do not, however, suggest dyeing different components of a split multicomponent fiber different colors, much less a fiber bundle in which the microfilaments are arranged to exhibit a first color in a non-stretched configuration and a different color in a stretched configuration.

Accordingly claim 27 is also patentable over either Makimura et al. or Gillespie et al. in view of JP '776.

The rejections of record having been addressed above, Applicants respectfully submit that the present application is now in condition for allowance, which action is respectfully solicited. Should the Examiner have any questions regarding the foregoing, it is respectfully requested that she contact the undersigned at her convenience.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

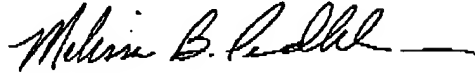
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therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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I hereby certify that this paper is being facsimile transmitted to the U. S. Patent and Trademark Office at Fax No. (703) 872-9306 on the date shown below.



Grace R. Rippy

February 19, 2004
Date